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Report of the Secretary-General on the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2277 (2016), in which the Council requested me to report on the implementation of the commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region.[1] It covers developments since the issuance of my report of 4 October 2016 (S/2016/840) and provides information on peace and security developments in the eastern Democratic Republic of the Congo and the Great Lakes region until 28 February 2017.

II. Major developments

A. Security situation

2. During the reporting period, the activities of illegal armed groups, including the Forces démocratiques de libération du Rwanda (FDLR), the Allied Democratic Forces (ADF), the Force de résistance patriotique de l'Ituri (FRPI), Mai-Mai groups and the Lord's Resistance Army, combined with inter-ethnic tensions in several parts of the Democratic Republic of the Congo, have continued to threaten security and stability. In response, the Armed Forces of the Democratic Republic of the Congo (FARDC) and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) have continued operations against FDLR, ADF and FRPI, as detailed in my reports on MONUSCO of 29 December 2016 (S/2016/1130) and of 10 March 2017 (S/2017/206).

[1] In this context, the region includes the 13 signatories of the Peace, Security and Cooperation Framework, namely, Angola, Burundi, the Central African Republic, the Congo, the Democratic Republic of the Congo, Kenya, Rwanda, South Africa, South Sudan, the Sudan, Uganda, the United Republic of Tanzania and Zambia. In addition, the following four intergovernmental organizations act as witnesses/guarantors of the Framework: the African Union, the International Conference on the Great Lakes Region, the Southern African Development Community and the United Nations.

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3. The reporting period witnessed the resumption of clashes between FARDC and elements of the former Mouvement du 23 mars (M23) in North Kivu, in the eastern Democratic Republic of the Congo, the first since the signing of the Nairobi Declarations in December 2013. Following reports of the disappearance on 11 November 2016 of Sultani Makenga, the military leader of the former M23, from his residence in Kampala, the Minister for Defence of the Democratic Republic of Congo, Crispin Atama Tabe, requested the Expanded Joint Verification Mechanism of the International Conference on the Great Lakes Region (ICGLR) to investigate reports that approximately 180 former members of M23 had left their cantonment in Bihanga, Uganda, and infiltrated Rutshuru territory in North Kivu province.

4. On 19 January 2017, the Government of Uganda issued a statement noting that it had arrested 101 former members of M23 headed to the Democratic Republic of the Congo. In the statement, the Government acknowledged that some 40 combatants had escaped from the Bihanga camp earlier, reaffirmed its commitment to the Nairobi Declarations and stressed that Uganda would not support any activity intended to destabilize the Democratic Republic of the Congo.

5. On 27 January, two FARDC helicopters crashed in two separate incidents in Rutshuru, as FARDC reportedly battled former M23 combatants in the vicinity. On 29 January, the Rwanda Defence Force indicated that a group claiming to belong to the former M23 and reportedly fleeing combat with FARDC had crossed into Rwanda. Reports indicate that the Rwandan authorities handed the individuals over to the International Committee of the Red Cross for appropriate action under international law.

6. On 22 February, a spokesperson for FARDC indicated that Congolese armed forces had exchanged fire with ex-M23 combatants over a period of two days, near Rutshuru, North Kivu, killing at least 16 rebels. The following day, a spokesperson for the Uganda People's Defence Forces announced that 44 ex-M23 combatants, who had fled to Uganda following clashes with FARDC, had been apprehended and were being held in a military camp in Kisoro, western Uganda.

7. The arrival of elements of the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) in the eastern Democratic Republic of the Congo in August 2016, fleeing conflict in South Sudan, remains a matter of concern and could exacerbate tensions in fragile local communities that have long been traumatized by the activities of armed groups. Furthermore, the development could negatively affect relations between the Democratic Republic of the Congo and South Sudan. Congolese authorities have called upon MONUSCO to remove SPLM/A-IO elements on its premises from Congolese territory as soon as possible.

8. In a separate development, on 21 December 2016, clashes occurred between FARDC and the Burundi National Defence Force in Uvira, South Kivu province, killing at least five Burundian soldiers. The latter had reportedly crossed the border in pursuit of armed elements from the Forces nationales de libération (FNL). The incident followed efforts by the Burundi National Defence Force to neutralize Burundian rebels operating along the border with the Democratic Republic of the Congo.

9. In Burundi, while the overall security situation has somewhat improved, violence continued with the assassination attempt on Presidential Adviser Willy

Nyamitwe, on 28 November 2016, and the killing of the Minister for Environment, Emmanuel Niyonkuru, on 1 January 2017.

10. In Uganda, intercommunal tensions in the areas bordering the Democratic Republic of the Congo escalated when security forces clashed with local militia in Kasese District, Rwenzori region, on 26 and 27 November 2016. The fighting occurred after suspected guards of the Rwenzori traditional leader, Charles Wesley Mumbere, accused by Ugandan authorities of leading a secessionist movement, reportedly attacked police and army patrols. At least 87 were reported killed and 149 arrested. Police detained Mr. Mumbere on 27 November 2016. He was subsequently granted bail on 6 February 2017.

B. Political developments

11. The region witnessed some positive developments during the reporting period. The Regional Oversight Mechanism held its seventh high-level meeting on 26 October 2016 in Luanda following a successful reform of the governance structures of the Peace, Security and Cooperation Framework. Signatories and guarantors renewed their commitment to accelerate the full implementation of the Framework. The meeting also provided the opportunity for the leaders of Angola and the Congo to discuss the national dialogue in the Democratic Republic of the Congo with that country's President, Joseph Kabila.

12. In the Democratic Republic of the Congo, a political agreement, facilitated by the African Union, was signed on 18 October 2016. On 31 December, representatives of the ruling majority and the opposition platform known as the Rassemblement des forces politiques et sociales de la République démocratique du Congo acquises au changement reached another agreement, facilitated by the Conférence nationale épiscopale du Congo (CENCO). The agreements helped stabilize the country and chart a path towards the conduct of peaceful and credible elections by the end of 2017. More details are provided in section IV below and in my reports on MONUSCO of 29 December 2016 and of 10 March 2017, respectively.

13. In letters addressed to me and to the President of the Security Council dated 26 December 2016, Jean-Marie Runiga, leader of the former M23 faction in Rwanda, which is now registered as a political party named Alliance pour le salut du peuple, requested that the sanctions against him be lifted, and that his party be allowed to participate in the talks. On 28 December, Bertrand Bisimwa, leader of the former M23 elements in Uganda, requested that CENCO consider raising the repatriation of former M23 elements, the release of former M23 prisoners and the development of a road map for the implementation of the Nairobi Declarations during the talks.

14. The inter-Burundian dialogue, facilitated by the East African Community, has yet to produce a breakthrough. From 7 to 9 December 2016, the East African Community Facilitator, former President of the United Republic of Tanzania Benjamin Mkapa, visited Burundi to encourage the resumption of talks. In reaction to a statement by the Facilitator upon his departure from Bujumbura on 9 December, the main opposition coalition, the Conseil national pour le respect de l'Accord d'Arusha pour la paix et la réconciliation au Burundi et la restauration de l'état de

droit (CNARED), stated that it no longer recognized the Facilitator and urged the President of Uganda, Yoweri Museveni, who serves as the East African Community Mediator, to consult with the East African Community Heads of State and designate another Facilitator. Several civil society entities also accused the Facilitator of bias towards the regime.

15. From 16 to 19 February 2017, Mr. Mkapa convened another consultative session with the parties in Arusha in the United Republic of Tanzania. While the Government of Burundi was not represented, a delegation of the ruling Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD) party joined the discussion. Representatives of CNARED, led by Jean Minani, also travelled to Arusha to meet with the Facilitator. Large demonstrations took place in Bujumbura, Gitega and other parts of Burundi to denounce the consultations, especially the participation of so-called "putschistes". While the session was under way, the Government of Burundi requested the Government of the United Republic of Tanzania to arrest several dialogue participants. In his concluding statement on 19 February, Mr. Mkapa called upon the East African Community to convene an extraordinary summit on Burundi to discuss the impediment to the process. Further details on the situation in Burundi are provided in section IV below and in my report on Burundi of 23 February 2017 (S/2017/165).

16. Preparations for elections progressed in Angola, Kenya and Rwanda, all three set for August 2017. In December 2016, the President of Angola, José Eduardo dos Santos, announced his intention to step down before the elections. Subsequently, the ruling People's Movement for the Liberation of Angola elected the Minister for Defence, retired General João Lourenço, as its lead candidate. General elections in Kenya to select the president, senators, county governors and members of the National Assembly and the County Assemblies, as well as women county representatives, are scheduled for 8 August. The President of Rwanda, Paul Kagame, will be seeking a third term on 4 August against three declared contenders: founder and chair of the Democratic Green Party of Rwanda Frank Habineza, and Philippe Mpayimana and Thomas Nahimana.

C. Humanitarian situation

17. As noted in my previous report (S/2016/840), the humanitarian situation in the region remains challenging, with more than 6 million internally displaced persons and 3.5 million refugees. Together, Burundi, the Central African Republic, the Democratic Republic of the Congo, Rwanda, South Sudan, Uganda and the United Republic of Tanzania account for 4.41 million internally displaced persons and 2.8 million refugees as a result of conflicts in the region.

18. The humanitarian situation in the Democratic Republic of the Congo remained of concern, particularly in the eastern provinces, but also increasingly in south-eastern Tanganyika and central Kasai provinces, where activities by armed groups and rising intercommunal tensions contributed to accelerated displacement, bringing the number of internally displaced persons countrywide to a staggering 2.1 million at the end of 2016. The eastern part of the country is also home to the vast majority of refugees from neighbouring countries, totalling 451,000 people, mainly from

Burundi, the Central African Republic, Rwanda and South Sudan. The multi-year Humanitarian Response Plan for the Democratic Republic of the Congo, which covers the period from 2017 to 2019, foresees a deteriorating humanitarian situation and intends to aid 6.7 million people in 2017, up from 6 million in 2016.

19. Large-scale displacement continued in South Sudan. Some 761,550 refugees fled the country in 2016 alone, of a total of 1.4 million registered refugees. Another 1.9 million people are internally displaced in South Sudan.

20. At the end of 2016, Uganda became the largest host of refugees in Africa, providing asylum to 736,953 South Sudanese refugees, among others, as at 10 February 2017. That puts the Ugandan authorities and the United Nations humanitarian agencies and their partners under increasing pressure to accommodate the needs of both the refugee and host communities and defuse possible tensions.

21. In Burundi, political instability and insecurity generated significant displacement. In total, nearly 387,000 refugees have fled the country since April 2015, primarily to the Democratic Republic of the Congo, Rwanda, Uganda and the United Republic of Tanzania, while some 170,000 people are internally displaced. In 2016, the number of people in need of humanitarian assistance increased from 1.1 million to at least 3 million, including a four-fold increase in the number of food-insecure people, from 730,000 to 3 million, due to the rising prices of basic food items, seasonal rain deficit during the agriculture season and chronic poverty. In 2017, the humanitarian community will appeal for $73.7 million to assist approximately 1 million Burundians.

22. On 31 January 2017, at the border crossing in Uvira, South Kivu province, the Government of the Democratic Republic of the Congo handed 124 Burundian nationals over to the Burundian authorities. All deportees were detained upon arrival in Burundi and charged with endangering State security. The Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Children's Fund were granted access to their places of detention.

D. Human rights and judicial cooperation

23. Violations of international humanitarian and human rights law continued in the region throughout the reporting period. Restrictions on the basic rights to free expression and association, among others, were reported in Burundi, the Democratic Republic of the Congo and South Sudan. Civilians in South Sudan continued to suffer serious abuses committed by both government forces and opposition fighters. In the Democratic Republic of the Congo, political violence and government repression intensified, as detailed in my report on MONUSCO of 29 December 2016.

24. Major incidents were recorded in the Democratic Republic of the Congo in December 2016 in the context of election-related human rights violations. MONUSCO and the Office of the United Nations High Commissioner for Human Rights (OHCHR) reported that, between 15 and 31 December 2016 in Kinshasa, in the context of events surrounding the end of President Kabila's second and last constitutional mandate, 40 people, including 5 women and 2 children, were killed, and 147, including 14 women and 18 children, were injured owing to the

disproportionate use of force and the use of live ammunition by defence and security forces. Hundreds of arrests were also reported throughout the country during those events. The actual number of victims may be much higher, as human rights investigators were denied access to many detention centres, hospitals and morgues, and were therefore unable to properly assess the total number of victims.

25. The report published by MONUSCO and OHCHR on those incidents states that repression by Congolese defence and security forces was executed through illegal restrictions on public freedoms, including the rights to freedom of expression, information and peaceful assembly. Those restrictions are in contravention of both international human rights standards and the Constitution of the Democratic Republic of the Congo.

26. In Burundi, national authorities suspended cooperation with OHCHR following the publication in October 2016 of the report of the independent investigation on Burundi carried out pursuant to Human Rights Council resolution S-24/1 (A/HRC/33/37). The report found that gross human rights violations were committed primarily by State actors and those linked to them. During the same month, the President of Burundi, Pierre Nkurunziza, signed legislation related to the country's withdrawal from the International Criminal Court. Serious human rights violations and abuses continued to be reported, including extrajudicial killings, arbitrary arrests and detentions, forced disappearances and cases of torture and ill-treatment. Most violations were perpetrated by national security forces and the Imbonerakure, the ruling party's youth militia, who are reportedly increasingly acting as law enforcement agents. Unlawful practices by the Imbonerakure include illegally arresting citizens and handing them over to the police, as well as conducting joint operations with local authorities and, sometimes, the police.

27. Meanwhile, democratic space remained very limited in Burundi, where civil society organizations continued to suffer repression. Between 19 and 21 December, the Government of Burundi passed three ministerial ordinances to ban or suspend at least 11 non-governmental organizations, including Ligue ITEKA, one of the oldest and most respected human rights organizations in the country. Further restrictions were implemented on 23 December, when the National Assembly adopted legislation requiring civil society organizations operating in Burundi, including those based or funded from abroad, to deposit one third of their operating budget into the central bank of Burundi, pay all their employees in Burundian francs and respect set ethnic quotas when hiring Burundian nationals. The law was adopted by the Senate and promulgated by the President in January 2017.

28. In a positive development, the trial of Dominic Ongwen for crimes against humanity and war crimes, committed as a prominent member of the Lord's Resistance Army, commenced at the International Criminal Court on 6 December 2016.

E. Regional economic developments

29. The countries of the region continued their efforts to strengthen regional economic and financial cooperation. On 20 October 2016, the Ministers in charge of trade from the Democratic Republic of the Congo and Rwanda, both members of the Common Market for Eastern and Southern Africa (COMESA), launched the

COMESA Simplified Trade Regime and signed a memorandum of understanding for the promotion of cross-border trade between the two countries. The Simplified Trade Regime aims to facilitate cross-border trade, eliminate non-tariff barriers and address commercial and customs fraud. Furthermore, 2 new one-stop border posts were set up along the border between Kenya and the United Republic of Tanzania, bringing the total number of operational one-stop border posts in Kenya, Rwanda, Uganda and the United Republic of Tanzania to 10.

III. Implementation of the Peace, Security and Cooperation Framework

A. Commitments of the Democratic Republic of the Congo

30. Further information on the implementation of the national commitments of the Democratic Republic of the Congo is contained in my reports on MONUSCO of 29 December 2016 and of 10 March 2017.

B. Commitments of the region

31. During the reporting period, signatory States continued to implement their commitments under the Peace, Security and Cooperation Framework, with mixed results. In that regard, following the decisions of the sixth Ordinary Summit of the Heads of State and Government of ICGLR, held in Luanda on 14 June 2016, Ministers for Defence and representatives from the Democratic Republic of the Congo, Kenya, Uganda and the United Republic of Tanzania met in Kinshasa on 13 October and adopted the concept of operations and the budget for the Joint Follow-up Mechanism established to address the growing threat posed by ADF. On 18 February 2017, the Joint Follow-up Mechanism, staffed by military intelligence officers from the four participating countries, was inaugurated in Kasese district, Uganda, at the border with the Democratic Republic of the Congo. However, progress in the repatriation of disarmed combatants, including those of FDLR and the former M23, remained limited.

32. The reporting period witnessed challenges in relations between some countries in the region. Tensions that developed between Burundi and Rwanda last year have not fully dissipated. Meanwhile, renewed friction emerged between the Democratic Republic of the Congo and Uganda, against the backdrop of the incursion by former M23 elements into the Democratic Republic of the Congo in January 2017. The Democratic Republic of the Congo requested the Expanded Joint Verification Mechanism to investigate the reported incursion and blamed Uganda for not upholding regional commitments in the Peace, Security and Cooperation Framework.

C. International commitments

33. During the reporting period, my Special Envoy continued his engagement with regional and international partners, with a view to promoting sustained and

concerted support to the implementation of the Peace, Security and Cooperation Framework. In that regard, efforts continued towards the operationalization of the United Nations Great Lakes Regional Strategic Framework 2016-2017, launched in New York on 21 March 2016. The United Nations Regional Development Group and the Office of my Special Envoy met in Kampala from 19 to 21 October to agree on the way forward regarding the implementation of the Regional Strategic Framework. The main outcomes included agreement on the establishment of a Great Lakes cross-border trust fund and the adoption of a resource mobilization strategy. Participants also agreed on priorities for each of the six pillars of the Regional Strategic Framework, including the promotion of cross-border private sector initiatives, the facilitation of labour mobility and the enhancement of women's participation in decision-making, among other things.

34. In Paris, on 8 December 2016, my Special Envoy attended a meeting of the International Contact Group for the Great Lakes region, which discussed regional developments and the implementation of the Peace, Security and Cooperation Framework. Representatives of Angola, Belgium, Germany, the Netherlands, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America attended the meeting, alongside those of the European Union and the International Organization of la Francophonie. They discussed coordinated international support to ongoing dialogue processes and initiatives to address the root causes of conflict in the region.

IV. Activities of my Special Envoy

A. Reform of the oversight mechanisms of the Peace, Security and Cooperation Framework

35. On 7 and 15 October 2016, the Technical Support Committee of the Peace, Security and Cooperation Framework, co-chaired by my Special Envoy and the African Union Special Representative for the Great Lakes Region, held its fourteenth and fifteenth sessions in Nairobi. The purpose was to prepare for a meeting of the Ministers for Foreign Affairs of signatory States, in prelude to the seventh high-level meeting of the Regional Oversight Mechanism of the Framework.

36. The Technical Support Committee adopted a status report on the implementation of national, regional and international commitments under the Peace, Security and Cooperation Framework. The report recommended faster progress with regard to, inter alia, the repatriation of disarmed combatants and the implementation of the Nairobi Declarations. On 24 October, the Ministers for Foreign Affairs endorsed the status report and recommended it for consideration by the Regional Oversight Mechanism.

37. On 26 October, the Regional Oversight Mechanism convened in Luanda at its first meeting hosted by a signatory State, in line with a recommendation adopted on 29 September 2015. Chaired by the President of Angola, who also serves as the Chair of ICGLR, the well-attended meeting helped enhance regional ownership and strengthen the signatory States' commitment to the implementation of the Peace, Security and Cooperation Framework.

38. While welcoming the progress achieved, the Regional Oversight Mechanism took note of challenges and outstanding issues and directed the Technical Support Committee to submit an updated list of priorities, drawing on the Regional Action Plan for the implementation of the Peace, Security and Cooperation Framework. The Regional Oversight Mechanism also welcomed ongoing cooperation between FARDC and MONUSCO against FDLR and ADF, as well as the establishment of the Joint Follow-up Mechanism to address the growing threat from ADF. It also expressed appreciation for the initiatives taken by the guarantors of the Framework to tackle illegal armed groups, and endorsed the recommendations of the meeting of Ministers for Defence of ICGLR and the Southern African Development Community (SADC), held in Nairobi on 20 July 2016. The Regional Oversight Mechanism highlighted the need for faster progress with the disarmament, demobilization, reintegration, repatriation and resettlement of disarmed combatants present in the eastern Democratic Republic of the Congo and neighbouring countries, notably former FDLR and M23 combatants.

39. Developments in Burundi, the Central African Republic, the Democratic Republic of the Congo and South Sudan were also on the agenda of the meeting. The Regional Oversight Mechanism called upon all Burundians to commit to inclusive dialogue and extend full cooperation to the East African Community Facilitator. The meeting further urged the governments of the region, supported by the African Union and the United Nations, to assist in finding durable solutions for the SPLM/A-IO combatants present in the eastern Democratic Republic of the Congo. Participants also encouraged the parties in the Democratic Republic of the Congo to seek peaceful solutions to the political crisis, in line with the country's Constitution and Security Council resolution 2277 (2016). In the margins of the meeting, the Presidents of Angola and the Congo encouraged the President of the Democratic Republic of the Congo to take steps to broaden support for the political agreement of 18 October 2016. In a related development, the President of the Congo, Denis Sassou Nguesso, offered to host the eighth high-level meeting of the Regional Oversight Mechanism on 20 October 2017 in the Congo.

40. On 25 January 2017, my Special Envoy hosted the third meeting of the guarantors of the Peace, Security and Cooperation Framework in Addis Ababa in order to take stock of regional initiatives to neutralize negative forces and encourage ongoing dialogue processes in Burundi and the Democratic Republic of the Congo. Among other things, the guarantors urged the Chiefs of Defence Staff of ICGLR and SADC member States to carry out a field mission to the eastern Democratic Republic of the Congo, as recommended by the meeting of the Ministers for Defence of ICGLR and SADC held in Nairobi on 20 July 2016. Furthermore, they called upon the Chiefs of Defence Staff to develop recommendations to facilitate the neutralization of negative forces in the region. The guarantors further encouraged the resumption of joint consultations between the Government of the Democratic Republic of the Congo and representatives of the former M23 regarding the implementation of the Nairobi Declarations. They also undertook to assist with efforts to relocate the elements of SPLM/A-IO present in the eastern Democratic Republic of the Congo.

41. The guarantors welcomed the signing of a political agreement in the Democratic Republic of the Congo on 31 December 2016. They urged the parties to continue to cooperate with CENCO to expedite discussions on the implementation

of the agreement. With regard to the situation in Burundi, they called upon all parties to renounce violence and collaborate with the East African Community Facilitator to accelerate the conclusion of the dialogue.

42. As decided at the seventh high-level meeting of the Regional Oversight Mechanism, the Technical Support Committee held its sixteenth session on 9 and 10 February 2017 in Nairobi. The Committee, inter alia, considered a draft updated list of priorities for the implementation of the Peace, Security and Cooperation Framework. It also examined a proposal for the establishment of a regional task force on the disarmament, demobilization, reintegration, repatriation and resettlement of disarmed combatants and stressed the urgency of strengthening existing mechanisms. The Committee undertook the initiation of preparations for thematic meetings, at expert and ministerial levels, in the areas of natural resource management, displacement and youth.

B. Good offices of my Special Envoy

43. During the reporting period, my Special Envoy continued his good offices, in close coordination with national, regional and international partners, in support of the implementation of the Peace, Security and Cooperation Framework. As outlined below, he took some initiatives to help address outstanding issues related to the neutralization of negative forces and the implementation of the Nairobi Declarations. He also continued his support to dialogue processes, as well as activities to promote women, youth and civil society. In addition, he continued to promote durable solutions for refugees and internally displaced persons, in close consultation with relevant United Nations entities in the region. Furthermore, my Special Envoy continued to facilitate the administration of justice through judicial cooperation and to support regional economic cooperation.

Implementation of the Nairobi Declarations

44. During a working session on 23 November 2016, my Special Envoy and the new Coordinator of the Congolese National Oversight Mechanism discussed ways to accelerate the implementation of the Nairobi Declarations, notably the repatriation of former M23 combatants still in Rwanda and Uganda. They reviewed the recommendations from two joint evaluation meetings between representatives of the Government of the Democratic Republic of the Congo and a delegation of the former M23, held in Kinshasa on 27 and 28 May and on 27 and 28 June 2016, respectively.

45. Following the incursion of former M23 combatants into the Democratic Republic of the Congo in January 2017, the Coordinator of the National Oversight Mechanism wrote to the guarantors of the Peace, Security and Cooperation Framework to request their urgent assistance. Consequently, my Special Envoy and my Special Representative and Head of MONUSCO met with the Minister for Foreign Affairs of the Democratic Republic of the Congo, Léonard She Okitundu, and the Coordinator of the National Oversight Mechanism on 22 and 23 January. The two officials echoed the need to resume joint consultations between the Government and the former M23 leadership. My Special Envoy and Special Representative also met with the Vice-President of CENCO, Fridolin Ambongo

Besungu, and encouraged CENCO to include relevant concerns raised by the former M23 in the ongoing political dialogue.

46. My Special Envoy and Special Representative also met with the President of Uganda in Entebbe, Uganda, on 24 January 2017. The President deplored the continuing presence and activities of negative forces in the eastern Democratic Republic of the Congo. He agreed to meet with the President of the Democratic Republic of the Congo to discuss the issue of negative forces, the implementation of the Nairobi Declarations and the repatriation of former M23 elements still present in Uganda.

Regional consultations on Sudan People's Liberation Movement/Army in Opposition elements present in the eastern Democratic Republic of the Congo

47. Following a request by the Government of the Democratic Republic of the Congo to MONUSCO regarding the relocation of SPLM/A-IO elements out of the country, my Special Envoy and Special Representative undertook consultations in Goma and Kinshasa from 12 to 14 January 2017. During a meeting with representatives of SPLM/A-IO at their cantonment site in the eastern Democratic Republic of the Congo, the members of that organization committed to renouncing fighting and requested that they be reunited with their relatives, who are being hosted as refugees in neighbouring countries. In Kinshasa, my Special Envoy and Special Representative met with the Vice-Prime Minister and Minister for Interior, as well as the Chief of Staff of the President. The officials reiterated their demand for the immediate relocation of the SPLM/A-IO elements out of their country.

48. During his aforementioned meeting with my Special Envoy and Special Representative on 24 January, the President of Uganda indicated his readiness to host those SPLM/A-IO combatants who wished to relocate to Uganda, subject to concurrence from the Government of South Sudan.

49. My Special Envoy and the Deputy Special Representative for the Democratic Republic of the Congo travelled to Juba and Addis Ababa from 5 to 8 February for consultations with senior officials of the Transitional Government of National Unity of South Sudan and with representatives of the African Union. First Vice-President Taban Deng Gai and Minister for Foreign Affairs Deng Alor of South Sudan reaffirmed their commitment to maintaining neighbourly relations with the Democratic Republic of the Congo and agreed to engage the Congolese authorities on the voluntary repatriation of SPLM/A-IO elements on MONUSCO premises. They also expressed support to efforts to identify acceptable solutions that would not undermine peace and security in South Sudan. In Addis Ababa, the African Union Commissioner for Peace and Security, Smaïl Chergui, expressed his commitment to working closely with the United Nations in efforts to resolve the issue and offered the support of the Liaison Office in Kinshasa to MONUSCO in the matter.

Support to dialogue processes in the region

Burundi

50. My Special Envoy continued his good offices and advocacy in support of dialogue processes in the region, in line with Security Council resolutions 2211

(2015) and 2277 (2016). In Dar es Salaam, United Republic of Tanzania, on 17 October 2016, he met with the Facilitator of the inter-Burundian dialogue, Mr. Mkapa, to inquire about the status of the talks and reiterate the support of the United Nations.

51. Mr. Mkapa briefed my Special Envoy on his efforts to bring the parties back to the negotiating table. He stressed that both the Government of Burundi and the opposition coalition in exile needed to display greater political will to enable the talks to move ahead, and called for stronger political engagement by the leaders of the region.

52. My Special Envoy encouraged the Facilitator to pursue his contacts with all parties and agreed that stronger involvement by regional leaders would help advance the dialogue. He stressed the importance for all international actors to rally behind the East African Community-led facilitation. While in Dar es Salaam, my Special Envoy also met with the Minister for Foreign Affairs of the United Republic of Tanzania, Augustine Mahiga, and discussed the dialogue processes in Burundi and the Democratic Republic of the Congo. They agreed on the need for stronger cooperation between the United Nations and the region through the Peace, Security and Cooperation Framework.

53. In Addis Ababa, on 24 and 29 January 2017, my Special Envoy met with Mr. Mahiga and the Minister for Foreign Affairs of Burundi, Alain Aimé Nyamitwe. He welcomed the reactivation of the inter-Burundian dialogue and encouraged the Government of Burundi to extend full cooperation to the East African Community. Mr. Mahiga stressed the need to call upon all parties to demonstrate flexibility and readiness for compromise.

Democratic Republic of the Congo

54. Following the meeting of the Regional Oversight Mechanism on 26 October 2016, and efforts by CENCO to broaden participation in the dialogue, my Special Envoy carried out several visits to Kinshasa in close consultation with my Special Representative.

55. My Special Envoy visited Kinshasa from 22 to 25 November and met with CENCO leaders, officials of the ruling presidential majority and opposition leaders of the political platform known as the Rassemblement, led by the late Étienne Tshisekedi. The Prime Minister of the Democratic Republic of the Congo, Samy Badibanga, indicated that he would hold consultations on the formation of his government with all national stakeholders, including those who did not participate in the African Union-facilitated dialogue.

56. Representatives of the presidential majority reiterated that they were ready to accommodate the Rassemblement but stressed that some of the coalition's demands, notably a transition without the President and the holding of elections in 2017, were unacceptable. Representatives of the Rassemblement confirmed their support for the CENCO facilitation but asked that CENCO allow the parties to engage directly. They also denounced alleged arbitrary arrests and movement restrictions by security organs targeted at their members.

57. Following the signing of the political agreement of 31 December 2016, my Special Envoy returned to Kinshasa twice in 2017, first from 13 to 15 January, and

again on 23 January. On both occasions, together with my Special Representative, he consulted with Congolese stakeholders on the CENCO-led dialogue. My Special Envoy and Special Representative met with the CENCO President, Marcel Utembi Tapa, and Vice-President, Fridolin Ambongo Besungu. They also met with the Prime Minister and the Chief of Staff of the President. My Special Envoy also held separate meetings with the papal nuncio, Luis Mariano Montemayor, Félix Tshisekedi of the Union pour la démocratie et le progrès social (UDPS) and Ève Bazaiba of the Movement pour la libération du Congo (MLC). In all those meetings, my Special Envoy and Special Representative welcomed the signing of the political agreement of 31 December, reiterated full support to CENCO and hoped for early agreement on the implementation details of the agreement, notably with regard to power-sharing.

58. At that point, CENCO leaders appeared encouraged by the signing of the political agreement of 31 December and by the progress made since then. They commended the important role that the international community, notably the United Nations, had played in bringing about the agreement. They encouraged the United Nations to pursue its engagement with all stakeholders and support the implementation of the agreement.

59. Similarly, all opposition representatives encouraged the United Nations to fully support efforts to resolve outstanding issues, including the implementation of the *mesures de décrispation* agreed to by the parties. Opposition leaders stressed that financial and logistical support would be critical, notably for the benefit of the Conseil national de suivi de l'accord (CNSA), mandated to monitor the implementation of the agreement, and the Independent National Electoral Commission.

60. The Prime Minister of the Democratic Republic of the Congo stressed the need to reconcile the political agreements of 18 October and 31 December 2016. He insisted that those who assumed Government positions under the agreement of 18 October should be included in the implementation of the agreement of 31 December. The MLC representative contended that the agreement of 31 December had been prearranged by the Government and the Rassemblement, with no regard for the other opposition parties. Mr. Tshisekedi of UDPS insisted there was no room to renegotiate the position of Prime Minister; he elaborated that the Rassemblement had agreed to extend the term of the President during the transition in exchange for the positions of Prime Minister and Chair of CNSA.

61. On 23 January 2017, my Special Envoy and Special Representative met with the Minister for Foreign Affairs and CENCO leaders. My Special Envoy also met with some opposition leaders and encouraged all parties to promptly finalize the talks on the implementation of the political agreement of 31 December 2016. During their second meeting with my Special Envoy on 23 January, CENCO leaders expressed frustration over the lack of progress in the ongoing talks on implementation. Nevertheless, they expected the parties to agree on the implementation details by 28 January. Regrettably, the agreement did not fully materialize, owing to persistent differences between the parties.

62. On 1 February, opposition leader Étienne Tshisekedi passed away in Belgium, where he had been evacuated for medical reasons. His sudden death cast uncertainty over the fate of the political dialogue. While the Government of the Democratic

Republic of the Congo promptly appointed a committee to organize a State funeral for Mr. Tshisekedi, discussions on the repatriation of his body and the holding of his funeral were still ongoing at the time of finalizing the present report.

63. Throughout the reporting period, my Special Envoy and Special Representative remained in close contact with key regional stakeholders, including senior officials of the African Union and ICGLR. My Special Envoy also met with the President of the Congo twice, in Brazzaville on 24 November 2016, and again in Addis Ababa on 29 January 2017.

64. From 7 to 9 November 2016, my Special Envoy visited Brussels for a series of meetings with European Union officials, including members of the Political and Security Committee of the European Union.

65. While in Brussels, he also met with Congolese opposition leader Moïse Katumbi and encouraged him to remain engaged in the peaceful resolution of the political crisis in his country. Mr. Katumbi assured my Special Envoy of his commitment to dialogue.

Private Sector Investment Conference for the Great Lakes Region

66. As a follow-up to the first Private Sector Investment Conference for the Great Lakes Region, held in Kinshasa on 24 and 25 February 2016, preparations for a second Conference continued during the reporting period. Rwanda offered to host the event in Gisenyi, a city located near its border with the Democratic Republic of the Congo.

67. On 2 February 2017, the Office of my Special Envoy, ICGLR, the United Nations country team in Rwanda and the Rwanda Development Board agreed on the composition of the steering committee mandated to oversee preparations for the second Conference. They also agreed that the Conference would focus on the promotion of cross-country business activities and on economic cooperation and integration among Burundi, the Democratic Republic of the Congo, Rwanda, Uganda and the United Republic of Tanzania.

Partnerships

68. During the reporting period, the Office of my Special Envoy continued its collaboration with ICGLR, the African Union and SADC, the other guarantors of the Peace, Security and Cooperation Framework. It also continued to enhance coordination among United Nations presences in the region and promote partnerships with other entities.

69. On 20 January 2017, my Special Envoy convened a meeting with the Resident Coordinators of Burundi, the Democratic Republic of the Congo, Rwanda, Uganda and the United Republic of Tanzania and Regional Directors of relevant United Nations agencies, funds and programmes. Participants exchanged views on key political and security developments in the region, and agreed on coordinated actions in political engagements and programmatic interventions in order to effectively support the peace, security and development of the region.

70. On 16 and 17 February, the Office of my Special Envoy and the Government of Switzerland, in partnership with the Conflict Prevention and Peace Forum,

convened a stakeholders meeting on the Great Lakes region, which gathered experts, representatives of governments and civil society of countries of the region and representatives of regional and international institutions. Participants reviewed peace and security developments in the region and identified priorities for future engagements, including options to foster synergies among various national, regional and international actors in order to achieve the objectives of the Peace, Security and Cooperation Framework.

71. On that occasion, my Special Envoy held a side meeting with other Special Envoys to exchange views on the situation in the region, including on the dialogue processes in the Democratic Republic of the Congo and Burundi and on the resumption of tensions related to the presence and activities of negative forces in the eastern Democratic Republic of the Congo.

72. My Special Envoy continued his cooperation with partners to advance the women, peace and security agenda in the region. From 29 November to 1 December 2016, his Office supported the convening of a meeting of the ICGLR Regional Women's Forum in Khartoum, which adopted a three-year strategic plan and a fundraising strategy for the establishment of a secretariat in Kigali.

Promotion of women, youth and civil society

73. From 31 January to 2 February 2017, my Special Envoy convened the Global Open Days on Women, Peace and Security in Goma, Democratic Republic of the Congo, with the support of the MONUSCO leadership. The discussions offered an opportunity for women leaders in the region to strengthen their leadership capacity, share their experiences on effective participation in political and peace processes and assess the implementation of women's political participation in line with Security Council resolution 1325 (2000) in their respective countries. Participants called for increased financial support to the ICGLR Regional Women's Forum, and requested that a representative of the Forum participate in the Technical Support Committee and the Regional Oversight Mechanism of the Peace, Security and Cooperation Framework.

74. The recommendations were discussed at a high-level dialogue on 2 February among the Ministers in charge of gender affairs of Burundi, the Democratic Republic of the Congo, Rwanda, South Sudan and Uganda and other representatives of those countries, in the presence of my Special Envoy, my Special Representative and representatives of the African Union and ICGLR. A side meeting was convened by my Special Envoy with the participants of the panel, which recommended the convening of a follow-up meeting of the Ministers in charge of gender affairs to discuss the inclusion of women.

75. In order to strengthen the role of youth in support of peace and stability in the region, the Office of my Special Envoy participated in the ICGLR Multipurpose Youth Forum meeting in Goma from 29 November to 1 December 2016. The meeting brought together youth delegates from Burundi, the Democratic Republic of the Congo, Kenya and Rwanda and representatives of the Government of the Democratic Republic of Congo, ICGLR and the United Nations. Participants emphasized the importance of youth-led initiatives to support social cohesion, election monitoring and observation, democratic governance and cross-border

confidence-building. The meeting also adopted a road map for the operationalization of an ICGLR youth centre for peace based in Goma.

Promotion of durable solutions for refugees and internally displaced persons

76. In Kampala on 24 January 2016, my Special Envoy met with the Ugandan Minister for Relief, Disaster Preparedness and Refugees, Hilary Onek, to discuss the political and security implications of the ongoing refugee crises in the region in line with the implementation of the Peace, Security and Cooperation Framework. Mr. Onek highlighted the increasing burden placed on Uganda as a result of the influx of refugees, the lack of progress in the implementation of the tripartite agreements on the voluntary repatriation of refugees between Uganda, UNHCR and Burundi, the Democratic Republic of the Congo and Rwanda, respectively, and rising discontent within the Ugandan population. In response to a proposal by my Special Envoy, he agreed to host a regional meeting at the ministerial level on displacement in the Great Lakes region later in 2017 in order to agree on regional actions as envisaged by the Framework.

Judicial cooperation and efforts to combat impunity

77. In Nairobi on 10 and 11 November 2016, the ICGLR Executive Secretary and my Special Envoy convened a meeting to establish a Great Lakes judicial cooperation network, bringing together the directors of prosecution and investigation services of ICGLR member States. The creation of the network is a key milestone in efforts to strengthen and facilitate the administration of justice in the region. It is expected to provide a forum for exchange and cooperation on regional legal action and will contribute significantly to promoting accountability for crimes committed in the region.

78. With the support of the Office of my Special Envoy, ICGLR published, in October 2016, a report on improving access to justice and ending impunity for sexual and gender-based violence in ICGLR member States and a compendium of case law on that subject. The publications are expected to support the ICGLR regional training facility on sexual and gender-based violence in ensuring greater protection for victims of sexual and gender-based violence and accountability for those who commit such crimes.

V. Observations

79. Four years after its signing, the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region remains a vital mechanism to achieve durable peace and stability, as noted by the Heads of State of the signatory countries during the seventh high-level meeting of the Regional Oversight Mechanism, held in Luanda on 26 October 2016. I commend the successful efforts, led by my Special Envoy, to reform the governance structures of the Peace, Security and Cooperation Framework and reinvigorate its implementation. I wish to thank Angola for hosting the first meeting of the Regional Oversight Mechanism held in the region. I also thank the Congo and Uganda for offering to host the eighth and ninth high-level meetings in 2017 and 2018,

respectively. Those developments denote growing ownership of the Framework by the signatories.

80. I am concerned, however, that the gains achieved so far could be negatively affected by the continued presence of non-State armed groups in the eastern Democratic Republic of the Congo, as well as other worrying security trends observed in recent months. In particular, incursions by former M23 elements into the Democratic Republic of the Congo, followed by clashes with the Congolese army, represent a serious setback to our stabilization efforts. Urgent and decisive action is required to avoid the resurgence of the M23 rebellion. I call upon the authorities of the Democratic Republic of the Congo and the leadership of the former M23 to promptly resume joint consultations on the implementation of the Nairobi Declarations, particularly the repatriation of ex-M23 elements still present in Rwanda and Uganda. My Special Envoy and Special Representative are fully engaged in finding a solution to that pressing issue and stand ready to assist the Congolese authorities. As signatories to the Peace, Security, and Cooperation Framework, I count on the neighbours of the Democratic Republic of the Congo to assist in preventing the former M23 from resuming its illegal activities, which once had a devastating impact on the lives and welfare of scores of civilians in the eastern Democratic Republic of the Congo.

81. The prolonged presence of SPLM/A-IO elements in the eastern Democratic Republic of the Congo also warrants urgent collective action to remove a potential threat to that fragile conflict-affected area. I encourage my Special Envoy and Special Representative to continue their engagement with leaders and institutions in the region to help resolve that issue.

82. I am encouraged by the enhanced cooperation between MONUSCO and FARDC against illegal armed groups, as well as by regional initiatives to address security issues, notably the establishment of a Joint Follow-up Mechanism to deal with ADF. I call upon States of the region and international partners to ensure that the Mechanism is well resourced and effective. I also emphasize the importance of complementary, non-military approaches to resolving the issue of negative forces, including by engaging local communities in conflict prevention and addressing the root causes of conflict in the region.

83. It is my hope that the ongoing dialogue processes in Burundi and the Democratic Republic of the Congo will reach successful conclusions and contribute to stability in the region. My Special Adviser, together with my Special Envoy for the Great Lakes Region, will continue to support East African Community-led efforts in the inter-Burundian dialogue. I urge the parties to cooperate with the East African Community Facilitator and to refrain from any action likely to undermine peace efforts. I also call upon East African Community leaders to urge the parties to participate in the dialogue without precondition.

84. I commend CENCO and the Congolese parties on the signing of the political agreement of 31 December 2016. I call upon all Congolese actors to refrain from violence and to take the necessary steps to swiftly implement the agreement. In particular, I encourage all parties to resume talks without further delay, with a view to resolving all outstanding issues. The United Nations will continue to support the political dialogue and the conduct of peaceful, credible, inclusive, transparent and timely elections in the Democratic Republic of the Congo.

85. As other countries in the region prepare for elections in 2017, I call upon all parties to create an environment conducive to the holding of timely, peaceful and credible elections.

86. I commend the governments and the people of the region for their hospitality towards large populations of refugees and asylum seekers, in a context of rising yet underfunded humanitarian needs. I ask them to continue to uphold their obligations under the Convention relating to the Status of Refugees and its Protocol. I emphasize once more the importance of durable solutions championed by the leaders of the region. In that regard, I welcome the offer by the Government of Uganda to host a ministerial meeting on displacement. I urge the international community, as well as regional and subregional organizations, to increase their support to displaced populations, host countries and host communities.

87. Finally, I thank my Special Envoy, my Special Representative and their respective teams for their efforts to promote peace and stability in the region and advance the implementation of the Peace, Security and Cooperation Framework. I call upon the Security Council and the international community to continue to assist the signatory States with the implementation of their commitments.